

**A RESOLUTION  
BY FINANCE/ EXECUTIVE COMMITTEE**

**A RESOLUTION CORRECTING RESOLUTION 09-R-1505 ADOPTED BY THE ATLANTA CITY COUNCIL ON SEPTEMBER 8, 2009, WHICH AUTHORIZED THE MAYOR OR HER DESIGNEE TO EXECUTE A CONTRACT ON BEHALF OF THE DEPARTMENT OF FINANCE WITH IRON MOUNTAIN FOR THE REMOVAL AND STORAGE OF RECORDS CURRENTLY STORED AT CITY HALL EAST TO INCLUDE A CONTRACT PROVISION FOR PERIODIC CONTRACT INCREASES SUBJECT TO THE APPROPRIATION OF FUNDS THEREFORE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta City Council adopted Resolution Number 09-R-1505 ("the Resolution") on September 8, 2009 to authorize the Mayor or her designee to execute a contract with Iron Mountain for the removal and storage of records belonging to the City of Atlanta ("City") which are currently stored at City Hall East; and

**WHEREAS**, the Resolution authorized a contract for a term of ten (10) years with two (2) five-year renewal options; and

**WHEREAS**, in light of the length of the contract, the business terms proposed and negotiated by representatives of Iron Mountain and the City contemplated that the contract would include a provision granting Iron Mountain an annual option to impose a price increase based upon the Consumer Pricing Index but not greater than 5% above the previous year's contract price; and

**WHEREAS**, the Resolution authorized, "that the annual cost of this agreement for FY2011 shall not exceed \$212,000 including a 5% consumer pricing index increase" but did not reflect the negotiated contractual provision for any subsequent price increases.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that Resolution 09-R-1505 is corrected to authorize a contractual provision granting Iron Mountain an annual option to impose a price increase based upon the Consumer Pricing Index but not greater than 5% above the previous year's contract price.

**BE IT FURTHER RESOLVED**, that the annual option to impose a price increase is subject to the appropriation of all funds for a subsequent contract year, as required by the Atlanta City Code of Ordinances.

**BE IT FURTHER RESOLVED**, that the City Attorney will assist the Chief Procurement Officer in conforming the agreement between Iron Mountain and the City to reflect the provision in this resolution.

**BE IT FURTHER RESOLVED**, that the balance of the provisions of Resolution 09-R-1505, as adopted, shall remain unchanged.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:** finance executive committee

**Caption:** A RESOLUTION CORRECTING RESOLUTION 09-R-1505 ADOPTED BY THE ATLANTA CITY COUNCIL ON SEPTEMBER 8, 2009, WHICH AUTHORIZED THE MAYOR OR HER DESIGNEE TO EXECUTE A CONTRACT ON BEHALF OF THE DEPARTMENT OF FINANCE WITH IRON MOUNTAIN FOR THE REMOVAL AND STORAGE OF RECORDS CURRENTLY STORED AT CITY HALL EAST TO INCLUDE A CONTRACT PROVISION FOR PERIODIC CONTRACT INCREASES SUBJECT TO THE APPROPRIATION OF FUNDS THEREFORE; AND FOR OTHER PURPOSES.

**Council Meeting Date:** December 7, 2009

**Requesting Dept.:** Department of Finance

**FAC Confirmed by:** A. Lehr

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

***Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.***

The purpose of this legislation is to amend resolution 09-R-1505 to include a contract provision for periodic contract increases as originally agreed upon in negotiations.

**2. Please provide background information regarding this legislation.**

***Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.***

Article XIV, RECORDS MANAGEMENT establishes a Records Management Administrative Committee to oversee records management for all types of records required to be stored by the City. This committee is made up of representatives of the Municipal Clerk, Executive Office, Finance Department, Law Department and Department of Information Technology and is chaired by the Finance Department. This committee, through the Finance

Department, issued an RFP, FC-4972 for the outsourcing of records management for the City of Atlanta. After an extensive review, the Records Management Administrative Committee voted to move forward with a recommendation of Iron Mountain. This resolution amends the above to include a provision to the contract for periodic price increases.

**3. If Applicable/Known:**

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** Professional Services
- (b) **Source Selection:** RFP
- (c) **Bids/Proposals Due:**
- (d) **Invitations Issued:**
- (e) **Number of Bids:** 2
- (f) **Proposals Received:** 2
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:** 10 Years with 2(5) Year Renewal Options

**4. Fund Account Center (Ex. Name and number):** 1001 (General Fund) 100304 (NDP Records Management) 5212001 (Consultant/Professional Services) 1580000(Office of Records Management).

**Fund:** \_\_\_\_\_ **Account:** \_\_\_\_\_ **Center:** \_\_\_\_\_

**5. Source of Funds:** *Example: Local Assistance Grant*

**6. Fiscal Impact:**

*Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.*

**7. Method of Cost Recovery:**

*Examples:*

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

**This Legislative Request Form Was Prepared By:** Allison Lehr

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Jack Tilson

Contact Number: x6838

Originating Department: Department of Finance

Committee(s) of Purview: Community Development/ Human Resources

Council Deadline: October 27, 2009

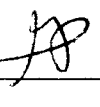
Committee Meeting Date(s): 12-2-09 Council Date 12-07-09

Commissioner Signature 

**CAPTION**

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Mayor's Staff Only

Received by Mayor's Office: 12/1/09 (date)  Reviewed by: JP (date)

Submitted to Council: 12/1/09 (date)